

Docket Item # 16
INITIATION OF TEXT AMENDMENT
#2003-0004-I

Planning Commission Meeting
October 7, 2003

CASE: INITIATION OF TEXT AMENDMENT #2003-0004
POLITICAL SIGNS

ISSUE: Consideration of initiation of a text amendment to the Zoning Ordinance for changes to the regulations for political signs.

STAFF: Department of Planning and Zoning

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STAFF RECOMMENDATION:

Staff recommends that the Planning Commission initiate, pursuant to the attached motion, a text amendment to section 9-201(A)(10) of the Zoning Ordinance, in order to change the regulations for political signs, finding that the consideration of such a text amendment is consistent with the public necessity, convenience, general welfare and good zoning practice.

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DISCUSSION

Background

Under section 15.2-2286 (7) of the Virginia Code, the zoning ordinance or map may be amended, “whenever the public necessity, convenience, general welfare or good zoning practice requires.” The same section further outlines that a zoning amendment may be initiated by resolution of Council, a motion of the Planning Commission, or, in the case of a map amendment, by a property owner of the land in question. Finally, the statute requires that any motion or resolution initiating a zoning amendment shall recite the above public purposes therefor. The Alexandria Circuit Court has recently determined that these requirements of the Virginia Code apply to the initiation of zoning amendments in Alexandria, notwithstanding that a formal process and express findings are not required under the zoning enabling authority conferred by the City Charter.

In the past, staff has consistently asked the Planning Commission to initiate and act on a proposed zoning amendment in the same action. We are now bifurcating the approach and asking the Planning Commission to consider whether a potential amendment should be considered as an introductory matter. That way, if the Planning Commission does not take the initiation step, and the amendment is not otherwise initiated by City Council or a property owner, then the amendment will not be considered at all. This procedural step will allow more time for consideration of the issue, introducing the issue for the general public earlier in the process. Staff will typically bring the actual text amendment forward in the month following the initiation by the Planning Commission.

Political Signs

After last May’s election, City Council has been discussing whether there are ways to reduce the visual clutter that results from the city’s current regulations on political signs, and has asked staff to bring forward for the Planning Commission’s consideration certain changes to those rules. Attached are the docket items from Council’s May and June discussions of the issue, and include staff material from 1998 when the Commission and Council considered a text amendment on the subject, but did not adopt any changes.

Recommendation

Staff recommends that the Commission initiate a text amendment on its own motion to change the rules for political signs, because consideration of changes is consistent with the public necessity, convenience, general welfare and good zoning practice.

Staff: Eileen Fogarty, Director, Planning and Zoning; Barbara Ross, Deputy Director.

Attachments: 1. Council docket item, May 17, 2003, item #6
2. Council docket item, June 24, 2003, item #21

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INITIATION MOTION

Whereas the Alexandria Planning Commission may initiate the amendment of the Alexandria Zoning Ordinance whenever it determines that the public necessity, convenience, general welfare or good zoning practice requires an amendment; and

Whereas the current provisions of the Alexandria Zoning Ordinance allow political signs on the rights of way of the City pursuant to a series of limitations, but allow during a 90 day period of time, an unlimited number of signs on all rights of way green areas,

Now, therefore, I move that the Alexandria Planning Commission find that the public necessity, convenience, general welfare or good zoning practice requires consideration of Text Amendment No.2003-04, Political Signs, to add limitations and otherwise address the appropriate restrictions for political signs in the rights of way, and

I further move that the Alexandria Planning Commission initiate such text amendment.